

# Arnold & Porter

July 7, 2023

**VIA EMAIL**

John Durrant  
john@durrantlawfirm.com  
The Durrant Law Firm  
2337 Roscomare Rd., Suite 2180  
Los Angeles, California 90077

Zakari Kurtz  
zak@sneakerlawfirm.com  
Sneaker Law Firm, PLLC  
928 Washington St  
Baldwin, NY 11510

**Re: Nike Inc. v. By Kiy LLC et al., No. 1:23-cv-2431-VM (S.D.N.Y.)**

Dear John,

We write in response to your July 7, 2023 letter.

We understand that your position is that you refuse to make defendants David Weeks, Nickwon Arvinger, and By Kiy LLC available for deposition before the close of fact discovery. If that is not correct, please provide dates that By Kiy will make defendants available for deposition on or before July 25, 2023.

If By Kiy provides alternative dates to make defendants available for deposition prior to the close of fact discovery, as Nike has been requesting for weeks now, we can take the depositions off the calendar for July 12-14, 2023. If not, Nike will move forward with its motion to compel By Kiy to produce David Weeks, Nickwon Arvinger, and By Kiy LLC for depositions on or before July 25, 2023.

We trust this resolves your concerns.

Best regards,



Michael Gershoni